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# The National Conference on Citizenship

October 15, 2007

Promoting Civic Participation and Civil Dialogue

## VIA HAND DELIVERY

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OCT 15 2007

Federal Communications Commission  
Office of the Secretary

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Marlene H. Dortch, Secretary  
Federal Communications Commission, The Portals  
445 12<sup>th</sup> Street, SW, TW-325  
Washington, DC 20554

## Notice of Written Ex Parte Communication

*Re: Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Education and other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands, WT Docket No. 03-66; Forty-One Late-Filed Applications for Renewal of Educational Broadband Service Stations, Memorandum Opinion and Order, DA 07-205, File No. 0002525897 et al.; Pending Applications For Reinstatement and Late-Renewal of Educational Broadband Service Licenses in Vermont and elsewhere.*

Dear Ms. Dortch:

In response to a September 28, 2007, Ex Parte Communication filed by the Catholic Television Network, the National ITFS Association, The Wireless Communications Association International, Inc., Clearwire Corporation, NextWave Wireless Inc., Sprint Nextel Corporation and Xanadoo, LLC (collectively "Joint Commenters") regarding a GSA controversy clarification proposal (the "Clarification"), the National Conference on Citizenship ("NCOC"), which had filed a consolidated Petition to Deny and Reply Comments with regard to the late filed reinstatement and renewal requests of various former Vermont area EBS permittees, submits the following letter of support.

As NCOC stated in its reply comments filed with the Commission on March 15, 2007 in a particular reinstatement renewal matter involving various former Vermont EBS permittees, "[s]hould the Commission rule that any effect of reinstatement of these College's licenses *would not impact* the GSA of NCOC's licenses because, based on the unique factual circumstances of this case, it would be inequitable and unfair to require NCOC to 'split the football' with them as if they were in good standing as of January 10, 2005, then NCOC would not object to their grant." It is NCOC's understanding that if the Joint Commenters' Clarification is adopted, and if the FCC decided to be lenient with the former Vermont permittees, the licenses of which all would have expired before 2005, then Staff would define such station's new geographic service areas without the benefits of splits with overlapping NCOC PSAs. In this regard such stations would fully respect the former 35 mile PSA boundaries of the NCOC stations. Under such a procedure NCOC would have no issue with a Commission decision to be lenient with the Vermont permittees. Accordingly, NCOC supports the Joint Commenters' requested Clarification.

Please call if you have any questions regarding this submission.

Sincerely,

David Sandak

cc: Service List

### Certificate of Service

I, David Sandak, Executive Director of the National Conference on Citizenship, hereby certify that the foregoing Comments were served this 15<sup>th</sup> day of October, 2007 by way of the United States Postal Service, First Class postage prepaid, addressed as follows:

<p>Daniel Gonzalez* Federal Communications Commission Office of Chairman Martin 445 12<sup>th</sup> Street, S.W. Room 8-B201 Washington, DC 205</p> <p>Bruce Gottlieb* Federal Communications Commission Office of Commissioner Copps 445 12<sup>th</sup> Street, S.W. Room 8-B115 Washington, DC 20554</p> <p>Aaron Goldberger* Federal Communications Commission Office of Chairman Martin 445 12<sup>th</sup> Street, S.W. Room 8-B201 Washington, DC 20554</p> <p>Fred Campbell* Federal Communications Commission Wireless Telecommunications Bureau 445 12<sup>th</sup> Street, S.W. Room 3-A200 Washington, DC 20554</p> <p>Nancy Zaczek* Federal Communications Commission Wireless Telecommunications Bureau 445 12<sup>th</sup> Street, S.W. Room 3-A260 Washington, DC 20554</p> <p>Jennifer M. McCarthy Vice President, Regulatory Affairs NextWave Wireless Inc 12670 High Bluff Drive</p> <p>Lewis V. Murray, Jr. Bowling Green School 700 Varnado Street Franklinton, LA 70438</p>	<p>Renee Crittendon* Federal Communications Commission Office of Commissioner Adelstein 445 12<sup>th</sup> Street, S.W. Room 8-A302 Washington, DC 20554</p> <p>Angela Giancarlo* Federal Communications Commission Office of Commissioner McDowell 445 12<sup>th</sup> Street, S.W. Room 8-C302 Washington, DC 20554</p> <p>Cathleen Massey* Federal Communications Commission Wireless Telecommunications Bureau 445 12<sup>th</sup> Street, S.W. Room 3-C250 Washington, DC 20554</p> <p>Joel Taubenblatt* Federal Communications Commission Wireless Telecommunications Bureau 445 12<sup>th</sup> Street, S.W. Room 3-C124 Washington, DC 20554</p> <p>Samuel Feder* Federal Communications Commission Office of The General Counsel 445 12<sup>th</sup> Street, S.W. Room 8-C750 Washington, DC 20554</p> <p>Wayne Leighton* Federal Communications Commission Office of Commissioner Tate 445 12<sup>th</sup> Street, S.W., Room 8-A204 Washington, DC 20554</p> <p>Trey Hanbury Sprint Nextel Corporation 2001 Edmund Halley Drive Reston, VA 20191</p>
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<p>Suzanne Goodwyn, Esq. Law Offices of Suzanne Goodwyn 1234 Tottenham Court Reston, VA 20194</p> <p>Ken Deibel Nova Communications 414 Ineichen Street Rayville, LA 71269</p> <p>Barton Bond Santa Fe Community College 6401 Richards Avenue Santa Fe, NM 87508-4887</p> <p>Jerry Brisson The College of Santa Fe 1600 St. Michaels Drive Santa Fe, NM 87505</p> <p>Peter D. Shields, Esq. Wiley Rein 1776 K Street, NW Washington, DC 20006</p> <p>Edwin N. Lavergne, Esq. Fish &amp; Richardson P.C. 1425 K Street, NW Suite 1100 Washington, DC 20005</p> <p>James Woulfe Lambuth University 705 Lambuth Boulevard Jackson, TN 38301</p> <p>Bruce Bryant City University of Seattle Vice President, Finance &amp; Administration 150-120<sup>th</sup> Avenue, NE Bellevue, WA 98005</p> <p>David L. Rice Miller Nash LLP 601 Union Street, Suite 4400 Seattle, WA 98101-2352</p>	<p>Office of the President Northwest State University of Louisiana Natchitoches, LA 71497</p> <p>George Williams Putnam County School District 200 S. 7<sup>th</sup> Street Palatka, FL 32177</p> <p>Al Rooney St. Vincent Healthcare P.O. Box 35200 1233 N. 30<sup>th</sup> Street Billings, MT 59107</p> <p>Joseph Belisle, Esq. Leibowitz &amp; Associates PA 1 SE 3<sup>rd</sup> Avenue, Suite 1450 Miami, FL 33131-1715</p> <p>Rudolph J. Geist, Esq. RGJLaw, LLC 1010 Wayne Avenue Suite 950 Silver Spring, MD 20910</p> <p>George W. Bott Krisar, Inc. P.O. Box 457 Hamlin, NY 14411</p> <p>Rev. Msgr. Michael J. Dempsey Trans Video Communications 1712 10<sup>th</sup> Avenue Brooklyn, NY 11215</p> <p>Tim Junek Bellville Independent School District 518 South Mathews Street Bellville, TX 77418</p> <p>Jose Luis Rodriguez, President Hispanic Information &amp; Telecommunications Network 63 Flushing Avenue, Unit 281 Brooklyn, NY 11205</p>
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<p>Donald J. Evans Fletcher, Heald &amp; Hildreth, PLC 1300 North 17<sup>th</sup> Street, 11<sup>th</sup> Floor Arlington, VA 22209</p> <p>BOCES District of St. Lawrence and Lewis Counties PO Box 231 139 State Street Canton, NY 13617</p> <p>Business Manager Charlotte High School c/o Charlotte ISD Highway 97 Charlotte, TX 78011</p> <p>Michael Hunter Armored School District #9 7 South Main Street Armored, AR 72310</p> <p>General Manager, WBGU-TV Bowling Green State University Tucker Center Bowling Green, OH 43404</p> <p>Joyce Lovvorn West Georgia RESA 99 Brown School Drive Grantville, GA 30220</p> <p>Superintendent Colorado Independent School District 534 East 11<sup>th</sup> Street Colorado City, TX 79512</p> <p>Greene County Hospital 509 Wilson Avenue Eutaw, AL 35462</p> <p>Ric Stitzer John L. Coble Elementary School 450 Academy Drive SW Calhoun, GA 30701</p> <p>Lee Leiker Marion-Florence USD #408 601 North Thorp Marion, KS 66861</p>	<p>Todd D. Gray Dow Lohnes LLC 1200 New Hampshire Avenue, N.W. Suite 800 Washington, DC 20036-6802</p> <p>Terri B. Natoli Clearwire Corporation 815 Connecticut Avenue, NW, Suite 610 Washington, DC 20006</p> <p>Lois M. Hubbard The Fountains #322 1555 Brainard Road Lyndhurst, OH 44124</p> <p>Mitchell P. Steidl QHS LLC and SAB Inc. 970 W. Broadway, Suite 371 Jackson, WY 83001</p> <p>Paul Dusini Champlain College 163 South Willard Street Burlington, VT 05402</p> <p>Superintendent Clark County R-1 School District 427 West Chestnut Street Kuhua, MO 63445</p> <p>Dennis McKinley Landmark Baptist Church Receiver for Bethel Christian School 509 N 8<sup>th</sup> Street Carlsbad, NM 88220</p> <p>Yaron Dori, Esq. Hogan &amp; Hartson LLP 555 13<sup>th</sup> Street, NW Washington, DC 20004</p> <p>Superintendent High Plains Community Schools 260 South Pine, Box 29 Polk, NE 68654</p> <p>Mr. Ed de Jesús P.O. Box 2090 Del Mar, CA 92014</p>
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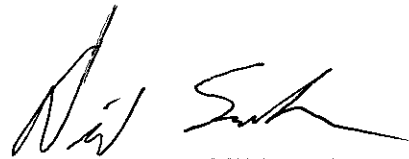
<p>Director of Schools Giles County Board of Education 720 West Flowers Street Pulaski, TN 38478</p> <p>Santa Fe Trail USD #434 P.O. Box 310 1663 East Highway 56 Carbondale, KS 66414</p> <p>Glynn County School System 1313 Egmont Street Brunswick, GA 31520</p> <p>Francis A. Schill Cavalier Public School District #6 P.O. Box N Cavalier, ND 58220</p> <p>Ms. Sharon E. Hilliard 1246 Stratford Ct Del Mar, CA 92014</p> <p>W. Steven Smith University of North Alabama P.O. Box 5003 One Harrison Plaza Florence, AL 35632</p> <p>Larry Wilke Texas State Technical College-Sweetwater 300 College Drive Sweetwater, TX 79556</p> <p>John Heard III, Superintendent Robert C. Hatch High School P.O. Box 900 Marion, AL 36756</p> <p>Lawrence County Board of Education 700 Mahr Avenue Lawrenceburg, TN 38464</p> <p>Dr. Don Elam, Superintendent Bibb County High School 220 Birmingham Road Centerville, AL 35042</p>	<p>Craig A. Gilley Fleischman &amp; Walsh, LLP 1919 Pennsylvania Avenue, NW Suite 600 Washington, DC 20036</p> <p>Stephen Twitchell Independent School Districts 709, 789, 790 405 Main Street West Eagle Bend, MN 56446</p> <p>Schwartz, Woods &amp; Miller The Lion Building, Suite 610 1233 20<sup>th</sup> Street, NW Washington, DC 20036-7322</p> <p>Veronica McGee Seventh Day Adventist School 11 Valley Road Lawrenceburg, TN 38464</p> <p>Dr. Robert Green University of Massachusetts, Dartmouth 285 Old Westport Road North Dartmouth, MA 02747</p> <p>Rev. Denzell Teague Victory Christian Academy 224 East Monroe Avenue Grants, NM 87020</p> <p>Mayetta Unified School District #337 P.O. Box 219 101 West Main Street Mayetta, KS 66509</p> <p>Father Brian Connor Aquinas High School 3420 MN, P.O.Box 149 David City, NE 68632</p> <p>Holton Unified School District 515 Pennsylvania Holton, KS 664436</p>
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<p>George W. Bott, Secretary Albion Community Development Corporation, Inc. P.O. Box 457 51 N. Main Street Albion, NY 14411</p> <p>The Curators of The University of Missouri 225 University Hall Columbia, MO 65201 ATTN Mary Sapp, Director of Bus. Svcs.</p> <p>Kenneth Ford Board of Cooperative Educational Services P.O. Box 70 Middle Settlement Road New Hartford, NY 13413</p> <p>Paul J. Sinderbrand Wilkinson Barker Knauer, LLP 2300 N Street, NW, Suite 700 Washington, DC 20037</p> <p>James Hyder, Esq. Burke County Middle School 789 Perimeter Road Wayneboro, GA 30830</p> <p>William K. Keane, Esq. Duane Morris LLP Suite 700 1667 K Street, NW Washington, DC 20006-1608</p> <p>John Heard III, Superintendent Robert C. Hatch High School P.O. Box 900 Marion, AL 36756</p> <p>Wilcox County Board of Education 2210 Highway 221 North Camden, AL 36726 ATTN: Angela Parham</p>	<p>Superintendent of Schools Shelby School District #32 650 North Walnut Shelby, NE 68662</p> <p>Ramsey L. Woodworth, Esq. Irwin Campbell &amp; Tannenwald, PC 1730 Rhode Island Avenue, NW Suite 200 Washington, DC 20036-0354</p> <p>John Walts Utopia Independent School District 258 School Street, P.O. Box 880 Utopia, TX 78884</p> <p>Thomas J. Alstrom Peabody-Burns USD #398 506 Elm Street Peabody, KS 66866</p> <p>Sweet Briar Institute/ College P.O. Box D Sweet Briar, VA 24595</p> <p>Cecily Cohen Nokia and Nokia Siemens Networks 1401 K Street NW, Suite 450 Washington, DC 20005</p> <p>Dr. Judy M. Merritt, President Jefferson State Community College 2601 Carson Road Birmingham, AL 35215</p> <p>Santa Fe Community College 6401 Richards Avenue Santa Fe, NM 87508-4887</p> <p>The College of Santa Fe 1600 St. Michaels Drive Santa Fe, NM 87505</p> <p>Dr. Judy M. Merritt, President Jefferson State Community College 2601 Carson Road Birmingham, AL 35215</p>
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<p>Landmark Baptist Church, Receiver for Bethel Christian School ATTN: Dennis McKinley 509 N. 8<sup>th</sup> Street Carlsbad, NM 88220</p> <p>Burke Co Middle School 789 Perimeter Road Waynesboro, GA 30830 ATTN: Mr. James Hyder, Esq.</p> <p>Jefferson Co BOE Carl Bethune PO Box 449 1001 Peachtree Street Louisville, GA 30434</p> <p>Swanville Public Schools 602 Degraf Street Swanville, MN 56382 ATTN: Gene Harthan</p> <p>Elizabeth High School 440 Live Oak Street Elizabeth, LA 70638</p> <p>North Florida MMDS Partnership 2203 Pasadena Place South Gulfport, FL 33707</p> <p>Lane College 545 Lane Avenue Jackson, TN 38301</p> <p>Turner Independent School District P.O. Box 161 District No. I-5, Star Route 73 Burneyville, OK 73430 ATTN: Donald Simmons</p> <p>Bonnie D. O'Connell 2203 Pasadena Place South Gulfport, FL 33707</p>	<p>Jane O. Sanders, President Burlington College 95 North Avenue Burlington, VT 05401</p> <p>Cheryl Crate Xanadoo, LLC 225 City Line Avenue, Suite 200 Bala Cynwyd, PA 19004</p> <p>Bellville Independent School District c/o Mr. Tim Juneck Chief Financial Officer 518 South Mathews Street Bellville, TX 77418</p> <p>Chattanooga State Technical Community College Judy Lowe 4501 Amnicola Highway Chattanooga, TN 37406-1097</p> <p>The School Board Of Miami-Dade County Florida 172 N.E. 15<sup>th</sup> Street Miami, FL 33132 ATTN: John Labonia</p> <p>Saint Michaels College One Winooski Park Colchester, VT 05439 ATTN: William Anderson</p> <p>Cook County Schools 1109 North Parrish Avenue Adel, GA 31620 ATTN: Dr.Fred Rayfield</p> <p>Revere C-3 Community School One Bulldog Drive Revere, MO 63465 ATTN: Ryan Horner</p> <p>East Otero R-1 School District 1802 Colorado, Suite 200 La Junta, CO 81050</p>
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<p>West Central Illinois ED Telecom Corp. 1475 E. Plummer Blvd. Chatham, IL 62629-8090 ATTN: Rich Plotkin</p> <p>Burlington College 95 North Avenue Burlington, VT 05401 ATTN: Jane Sanders</p> <p>Wayne County Board of Education 419 South Main Street Waynesboro, TN 38485 ATTN: Jerry Pigg</p> <p>Canton R-V School District 200 S. Fourth Street Canton, MO 63435</p> <p>Stromsburg School District #10 401 East 4<sup>th</sup> Street Stromsburg, NE 68666</p> <p>Foreign Language and Culture Foundation 850 Fay Road Syracuse, NY 13219 ATTN: Kathleen Simcox</p> <p>Florida Community College at Jacksonville 501 W. State Street Jacksonville, FL 32202 ATTN: Jeanne Miller</p> <p>International Business College NM Inc. 650 E. Montana Suite F Las Cruces, NM 88001</p> <p>Oak Forest Academy 600 Walnut Street Amite, LA 70422</p> <p>Hubbard Hospital 1005 D.B. Todd Blvd. Nashville, TN 37208</p>	<p>Oakdale High School 101 N. 13<sup>th</sup> Street Oakdale, LA 71463</p> <p>Coastal Bend College 3800 Charco Road Beeville, TX 78102 ATTN: Dr. Thomas Baynum</p> <p>The University of South Florida 4202 Fowler Avenue, SVC 1072 Tampa, FL 33620 ATTN: Lynn Rejniak</p> <p>Sesser-Valier Community Unit #196 4626 State Highway 154 Sesser, IL 62884 ATTN: Jason Henry</p> <p>Independent School District #786 301 Central Avenue S Bertha, MN 56437 ATTN: Robert Sieling</p> <p>Shelby County C-1 Schools 3071 HWY 15 Shelbyville, MO 63469-2225 ATTN: Larry Smoot</p> <p>Francis Marion High School P.O. Box 900 Marion, AL 36756 ATTN: Superintendent</p> <p>Hermleigh Independent School District 1026 School Avenue Hermleigh, TX 79526 ATTN: Superintendent</p> <p>Archd Hartford Diocesan School Office 15 Peach Orchard Road Prospect, CT 06102 ATTN: Rev. John Gatzak</p>
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<p>Trenton Special School District 201 W. 10<sup>th</sup> Street Trenton, TN 37074</p> <p>Utica College of Syracuse University Burrstone Road Utica, NY 13502</p> <p>Carrollton Farmers Branch ISD 1445 North Perry Road Carrollton, TX 75011</p> <p>Grace Lutheran School 2713 Flagler Avenue Key West, FL 33040 ATTN: David Kolhagen</p> <p>Mary Immaculate Star of the Sea School 1010 Windsor Avenue Key West, FL 33040</p> <p>Minford Local School District 135 Falcon Road Minford, OH 45653</p> <p>New Boston Local School District 522 Glenwood Avenue New Boston, OH 45662</p> <p>Riverview School District 810 Raider Drive Searcy, AR 72143</p> <p>Texas State Technical College 2424 Boxwood Harlingen, TX 78550</p> <p>Veblen School District 516 8<sup>th</sup> Avenue W Sisseton, SD 57262 ATTN: Cheryl Karst</p> <p>Stephen E. Coran Rini Coran, PC 1615 L Street, NW, Ste 1325 Washington DC 20036</p>	<p>Meharry Medical Collage 1005 Todd Blvd.. Nashville, TN 37208</p> <p>Rockne Educational Television 320 Hamilton Street Albion, NY 14411</p> <p>Tri County R-VII Schools 904 W. Auberry Grove Jamesport, MO 64648</p> <p>West Blocton High School 100 School Street West Blocton, AL 35184</p> <p>Dallas-Fort Worth Hospital Council 250 Decker Court Irving, TX 75062</p> <p>Lawrence County Board of Education 14131 Market Street Moulton, AL 35650</p> <p>Mendocino Lake Community College District 1000 Hensley Creek Road Ukiah, CA 95482</p> <p>McCurtain County Higher Education Program P.O. Box 178, RT. 3 Idabel, OK 74745</p> <p>Otero Junior College 1802 Colorado Avenue La Junta, CO 81050</p> <p>Springhill High School 1442 Sheppard Street Minden, LA 71055</p> 
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\* Service copy also provided via email